

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY
AVERAGE WHOLESale PRICE
LITIGATION

)
) MDL NO. 1456
) Civil Action No. 01-12257-PBS
) Subcategory No. 07-12141

THIS DOCUMENT RELATES TO:

State of Iowa

v.

Abbott Laboratories Inc., et al.

)
) Judge Patti B. Saris
)
)
)
)

APRIL 2010 STATUS REPORT FOR THE STATE OF IOWA

The undersigned counsel for the State of Iowa (hereinafter referred to as “plaintiff”) hereby submits the attached Status Report for April 2010, in accordance with the Court’s June 17, 2004 Procedural Order.

Dated: April 1, 2010

Respectfully submitted,

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By: /s/ Joanne M. Cicala

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April 2010 Status Report for the State of Iowa

Discovery

1. Motion to Compel Discovery from the State of Iowa

On March 22, 2010 the Court granted Defendants' Motion to Withdraw their Motion to Compel discovery from plaintiff [Docket No. 6990, Sub-docket 72]. *See* Magistrate Judge Bowler March 22, 2010 electronic order granting motion to withdraw.

2. Motion for Extension to Discovery Deadline

On March 31, 2010 the court granted plaintiff and defendants' joint motion to extend the discovery period. *See* Docket No. 7028, Sub-docket No. 75. The order sets the following deadlines: (1) all discovery must be served by April 30, 2010; (2) all fact discovery must be completed by July 1, 2010; (3) plaintiff's expert report is due on September 15, 2010; (4) defendants' expert report is due on November 15, 2010; and (5) all expert depositions must be completed by December 15, 2010. *See Id.*

3. Schering's Motion for a Protective Order

On March 5, 2010, defendant Schering filed a motion for protective order and to quash a notice of deposition served by plaintiff on March 1, 2010. *See* Docket No. 6964, Sub-docket 70; Docket No. 6965, Sub-docket 71.

On March 26, 2010, plaintiff filed its opposition to defendant Schering's motion for protective order. *See* Docket No. 7009, Sub-docket No. 73.

Voluntary Dismissal of Claims

On March 11, 2010, the Court entered an order granting plaintiff's voluntary dismissal of defendant Chiron Corporation. *See* Docket No. 6962, Sub- Docket 69.

On March 29, 2010, plaintiff filed a notice of voluntary dismissal of claims against defendants Bayer Corp. and Bayer Pharmaceuticals Corp. *See* Docket No. 7019.

On March 30, 2010, plaintiff filed a notice of voluntary dismissal of claims against defendants Purdue Frederick Company, Purdue Pharma Company and Purdue Pharma L.P. *See* Docket No. 7021, Sub-docket No. 74.

CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on the 1st day of April, 2010, she caused a true and correct copy of the above April 2010 Status Report for the State of Iowa to be delivered to counsel of record for defendants by electronic service pursuant to Case Management Order No. 2 entered by the Honorable Patti B. Saris in MDL No. 1456.

Dated: April 1, 2010

/s/ Kathryn B. Allen
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